

**Probate Committee
Judicial Conference of Indiana**

October 24, 2003
Minutes

1. Members present. The following members of the committee were present: Kevin Barton, Nancy Long, Larry E. Bradley, Wayne J. Lennington, Barbara Harcourt, Phillip Houk, and Terrence Cody, Chair.
2. Staff present. Michelle C. Goodman provided the committee with staff assistance.
3. Approval of minutes. The committee approved the minutes from the June 20, 2003 meeting.
4. Deskbook Revisions. Judge Cody reported that the updated Deskbook was distributed in September. Com. Bradley reported to the Committee that he had found some additional information for the adoption section of the Deskbook and volunteered to prepare a supplement for the Deskbook.
5. ISBA Report. Judge Cody reported to the Committee the projects of the Probate Section of the ISBA involving revisions to the trust code for 2005 legislative session, reviewing issues with approving report of sale of real estate requiring heirs consent, will contests and exclusion of evidence, minor changes to the disclaimer statute, powers of attorney and change of beneficiary, inheritance tax return extensions, inventories in unsupervised estates. Judge Cody volunteered to be the Committee's liaison to the ISBA Probate Section. The next meeting is scheduled for January 17, 2004.
6. Probate Code Study Commission. Michelle reported that the Probate Code Study Commission has not scheduled a meeting to date and that she will keep the Committee posted if a meeting is scheduled.
7. Local Probate Rules. Judge Cody and Michelle reported to the Committee additional information received from Judge Pat Riley regarding the work on organizing local probate rules. Judge Barton, Judge Cody, and Com. Bradley volunteered to help Judge Riley with this project on behalf of the Committee.
8. Other Business. The Committee briefly discussed the Maximum Fee Guidelines. The Committee also discussed if anyone had fee disputes in their counties.

Com. Bradley and Mag. Houk reported to the Committee on the progress of JTAC as it relates to probate cases. There have been several meetings to develop the standard CCS entries and discussed that forms and orders are beginning to be developed for the CMS.

The Committee also discussed some questions regarding case management and the need for probate education for judges and magistrates, especially for those who may

be unfamiliar with the area. Judge Harcourt volunteered to discuss this issue with the Education Committee, which she is also a member.

9. Next meeting. The next meeting is scheduled for January 16, 2004 at 1:00 p.m.

Respectfully Submitted,

Michelle C. Goodman